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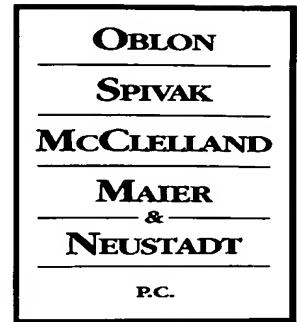
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Docket No.: 217199US0

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/014,356  
Applicants: Daisuke SHIIBA, et al.  
Filing Date: December 14, 2001  
For: ACIDIC OIL-IN-WATER TYPE EMULSION  
COMPOSITION  
Group Art Unit: 1761  
Examiner: C. A. PADEN

SIR:

Attached hereto for filing are the following papers:  
**Request for Reconsideration (2 pp.)**  
**Copy of Date-stamped Filing Receipt dated December 14, 2001**

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Registration No. 24,618

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Registration No. 40,211

DOCKET NO: 217199US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RE APPLICATION OF

DAISUKE SHIIBA, ET AL.

SERIAL NO: 10/014,356

FILED: DECEMBER 14, 2001

FOR: ACIDIC OIL-IN-WATER TYPE  
EMULSION COMPOSITION

:

: EXAMINER: PADEN, C. A.

:

: GROUP ART UNIT: 1761

:

REQUEST FOR RECONSIDERATION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

In response to the Office Action dated October 29, 2003, Applicants respectfully request reexamination and reconsideration of the application in light of the remarks that follow.

Claims 1-6 are pending in this application. Claim 1 is independent.

Claims 1-3 and 6 are rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-20 of U.S. Patent No. 6,635,777 ("Kawai") in view of U.S. Patent Application Publication No. US 2002/0025370 A1 ("Sugiura"). Applicants respectfully traverse the rejection because Sugiura is not prior art to the above-identified application. Sugiura was filed on July 9, 2001. In contrast, the above-identified application claims the priority of Japanese Application No. JP 2000-381596 of December 15, 2000. To perfect Applicants' claim to priority under 37 C.F.R. § 1.55(a)(4), Applicants will file an English-language translation of the JP 2000-381596 priority document. Because Applicants'

priority date is prior to Sugiura's filing date, Sugiura is not prior art to the above-identified application. Thus, the obviousness-type double patenting rejection should be withdrawn.

Applicants respectfully request that the Examiner acknowledge receipt of the certified copy of the JP 2000-381596 priority document filed December 14, 2001, as evidenced by the attached copy of the date-stamped filing receipt.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Applicants respectfully request favorable consideration and prompt allowance of the application.

Should the Examiner believe that anything further is necessary in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Norman F. Oblon  
Attorney of Record  
Registration No. 24,618

Corwin P. Umbach, Ph.D.  
Registration No. 40,211

Attachment:

Date-stamped filing receipt

Customer Number

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(OSMMN 08/03)  
CPU:smi

22  
CSMM&N File No. 217199US0

Dept.: PP/JF

By: NFO/tsh

Serial No. NEW APPLICATION

In the matter of the Application of: Daisuke SHIIBA, et al.

For: ACIDIC OIL-IN-WATER TYPE EMULSION COMPOSITION

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☒ 23 pp. Specification      6 Claims/Drawings      0 Sheets  
and 2 Pages Application Data Sheet
- ☐ Combined Declaration, Petition & Power of Attorney      pages
- ☐ List of Inventor Names and Addresses
- ☒ Utility Patent Application Transmittal      ☐ CPA
- ☒ Request for Priority      ☒ Priority Doc (1)
- ☒ Check for \$1,150.00      ☒ Dep. Acct. Order Form
- ☒ Fee Transmittal Form
- ☐ Assignment/PTO 1595 pages:
- ☐ Letter to Official Draftsman
- ☐ Letter Requesting Approval of Drawing Changes
- ☐ Drawings      sheets      ☐ Formal
- ☐ Letter
- ☐ Amendment
- ☐ Information Disclosure Statement      ☐ PTO-1449
- ☐ Cited References
- ☐ Search Report
- ☐ Statement of Relevancy      ☐ Cited Pending Applications
- ☐ IDS/Related/List of Related Cases
- ☐ Restriction Response      ☐ Election Response
- ☐ Rule 132 Declaration
- ☐ Petition for Extension of Time
- ☐ Notice of Appeal
- ☐ Brief
- ☐ Issue Fee Transmittal
- ☒ White Advance Serial Number Card
- ☐ Small Entity Status is claimed
- ☐
- ☐



Due Date: 12/15/01